

[*Parties and Counsel Listed on Signature Pages*]

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

IN RE: SOCIAL MEDIA ADOLESCENT
ADDICTION/PERSONAL INJURY PRODUCTS
LIABILITY LITIGATION

This Document Relates To:

ALL ACTIONS

MDL No. 3047

Case No. 4:22-md-03047-YGR (PHK)

**JOINT STATUS REPORT ON
FORENSIC IMAGING AND DEVICE
DATA**

Judge: Hon. Yvonne Gonzalez Rogers

Magistrate Judge: Hon. Peter H. Kang

Pursuant to Discovery Management Orders No. 8 and 9 (“DMO No. 8” and “DMO No. 9”), the Parties jointly provide this status report on forensic imaging and device data of Plaintiffs’ devices (hereinafter “Main Devices”)¹ as well as the Parties’ progress in conferring on certain other topics as directed by the Court.

I. Search Terms & Word Searchable Databases

The Parties agreed to case-specific search terms to be run across Bellwether PI Plaintiffs’ ESI on August 30; however, as anticipated, further discussions are occurring regarding the data sources across which a few terms will be run for two Bellwether PI Plaintiffs. The Parties also continue to discuss the search terms to apply to data sources Plaintiffs have identified for loss of consortium plaintiffs/parents/guardians, which the Parties anticipate resolving by the end of this month. In addition, the JCCP Bellwether PI Plaintiffs have agreed, absent good cause, to the same general search terms as those negotiated for the Bellwether PI Plaintiffs in the MDL.

II. Forensic Imaging

The Parties continue to confer over whether the iPhone 15 that now belongs to B.H.’s father (*see* chart in § VI) qualifies as a Main Device that should undergo FFS imaging. The Parties will present any dispute over this issue to the Court in a timely fashion.

III. Device Identifying Information

As of September 19, 2024, Plaintiffs had provided:

- The serial number or ICCID number for 34 devices;
- The IMEI, MEID, or MAC address 33 devices (all applicable devices);
- The current operating system for 34 devices; and
- A complete list of applications on 34 devices.

Plaintiffs have not yet provided the approximate start and end dates for the device usage; however,

¹ The Parties use the term “Main Devices” to refer to the Court’s definition in DMO 8 of devices from which information will be initially produced: “[A]ll devices (cellphones, tablets, laptops, computers, and the like) which are in each Bellwether PI Plaintiff’s possession, custody, or control and that they have habitually, routinely, or regularly used during the relevant time period to access the Defendants’ platforms.” Order at 8:24–9:25; Hrg. Tr. at 45:19–21.

1 Plaintiffs have relayed that those dates will be able to be provided once all images have been transferred
 2 to the respective ESI vendors, or the Parties may agree that Defendants' forensics vendors are better
 3 positioned to obtain that information under Plaintiffs' current proposal for production of filesystem data
 4 that the Parties are currently discussing, as set forth further below.

5 **IV. Datasets, Relevant Applications, and Production Format and Logistics**

6 The Parties have reached an agreement on specific interim deadlines for the bellwether personal
 7 injury Plaintiffs to substantially complete productions of text-searchable ESI from Plaintiffs' collections,
 8 including the full filesystem (FFS) images of Plaintiffs' Main Devices. The below chart reflects the
 9 Parties' agreed-to substantial completion deadlines for Plaintiffs' text-searchable ESI. Plaintiffs agree to
 10 substantially complete "data files, syslogs, and app settings . . . which are not readily searchable using
 11 keywords or search terms" as required by DMO 8 by November 4, 2024.

12 As of October 24, 2024, Plaintiffs S.K., Craig, B.M., B.H., Smith, Clevenger, Mullen, Melton,
 13 J.D., and D'Orazio have substantially completed production of text searchable ESI from their Main
 14 Devices. Defendants provided counsel for McNeal an extension of the deadline for McNeal to
 15 substantially complete the production of text-searchable ESI.

Plaintiff	Case No.	Plaintiff's firm	Selection mechanism	Date
S.K.	4:23-cv-01584	Motley Rice	Plaintiff pick	9/30/2024
Craig, Klinten	4:22-cv-05890	Beasley Allen	Defense pick	9/30/2024
B.M.	4:23-cv-01615	Motley Rice	Plaintiff pick	9/30/2024
B.H.	4:22-cv-06751	Lieff Cabraser	Defense pick	10/10/2024
Clevenger, Laurel	4:22-cv-06457	Beasley Allen	Defense pick	10/10/2024
Smith, Leslie	4:23-cv-05632	Lieff Cabraser	Plaintiff pick	10/10/2024
Mullen, Nuala	4:23-cv-00600	SMVLC	Plaintiff pick	10/10/2024
Melton, David	4:22-cv-06627	Beasley Allen	Defense pick	10/18/2024
J.D.	4:22-cv-05987	Southern Med Law	Defense pick	10/18/2024
D'Orazio, Jessica	4:23-cv-03751	Lieff Cabraser	Plaintiff pick	10/18/2024
McNeal, Dymand	4:23-cv-01092	Levin Papantonio	Defense pick	10/18/2024
M.G.	4:24-cv-01983	The Carlson Law Firm	Plaintiff pick	11/4/2024

1 **V. Non-Text Device Data Production**

2 Following additional meet and confer discussions, the parties have agreed to all substantive terms
 3 of a protocol for the production of device data and anticipate filing a stipulation and proposed order
 4 concerning the imaging protocol by the end of the day on Monday, October 28.

5 **VI. Lost Devices**

6 The parties submitted letter briefing regarding the preservation of non-bellwether devices and
 7 accompanying data on October 21, 2024. The parties are continuing to meet and confer regarding any
 8 corresponding relief that may be appropriate in *Clevenger* due to her performing a factory reset on her
 9 iPhone 13 in August 2024 after the Court ordered that Plaintiffs conduct a full file system extraction of
 10 all Main Devices.

11 **VII. Supplemental Status Reports**

12 The Parties will provide a Supplemental Status Report to the Court on October 31, 2024 unless
 13 the Court directs otherwise.

14 Respectfully submitted,

15 DATED: October 24, 2024

By: /s/ Lexi J. Hazam

LEXI J. HAZAM
LIEFF CABRASER HEIMANN &
BERNSTEIN, LLP
 275 BATTERY STREET, 29TH FLOOR
 SAN FRANCISCO, CA 94111-3339
 Telephone: 415-956-1000
 lhazam@lchb.com

PREVIN WARREN
MOTLEY RICE LLC
 401 9th Street NW Suite 630
 Washington DC 20004
 Telephone: 202-386-9610
 pwarren@motleyrice.com

Co-Lead Counsel

CHRISTOPHER A. SEEGER
SEEGER WEISS, LLP
 55 CHALLENGER ROAD, 6TH FLOOR
 RIDGEFIELD PARK, NJ 07660
 Telephone: 973-639-9100
 cseeger@seegerweiss.com

Counsel to Co-Lead Counsel

1 JENNIE LEE ANDERSON
2 **ANDRUS ANDERSON, LLP**
3 155 MONTGOMERY STREET, SUITE 900
4 SAN FRANCISCO, CA 94104
5 Telephone: 415-986-1400
6 jennie@andrusanderson.com

7 Liaison Counsel
8

9 EMILY C. JEFFCOTT
10 **MORGAN & MORGAN**
11 633 WEST FIFTH STREET, SUITE 2652
12 LOS ANGELES, CA 90071
13 Telephone: 213-787-8590
14 ejeffcott@forthepeople.com

15 JOSEPH VANZANDT
16 **BEASLEY ALLEN**
17 234 COMMERCE STREET
18 MONTGOMERY, LA 36103
19 Telephone: 334-269-2343
20 joseph.vanzandt@beasleyallen.com

21 Federal/State Liaisons
22

23 MATTHEW BERGMAN
24 GLENN DRAPER
25 **SOCIAL MEDIA VICTIMS LAW CENTER**
26 821 SECOND AVENUE, SUITE 2100
27 SEATTLE, WA 98104
28 Telephone: 206-741-4862
matt@socialmediavictims.org
glenn@socialmediavictims.org

1 JAMES J. BILSBORROW
2 **WEITZ & LUXENBERG, PC**
3 700 BROADWAY
4 NEW YORK, NY 10003
5 Telephone: 212-558-5500
6 jbilsborrow@weitzlux.com

7 JAYNE CONROY
8 **SIMMONS HANLY CONROY, LLC**
9 112 MADISON AVE, 7TH FLOOR
10 NEW YORK, NY 10016
11 Telephone: 917-882-5522
12 jconroy@simmonsfirm.com

13 ANDRE MURA
14 **GIBBS LAW GROUP, LLP**
15 1111 BROADWAY, SUITE 2100
16 OAKLAND, CA 94607
17 Telephone: 510-350-9717
18 amm@classlawgroup.com

ALEXANDRA WALSH
WALSH LAW
1050 Connecticut Ave, NW, Suite 500
Washington D.C. 20036
Telephone: 202-780-3014
awalsh@alexwalshlaw.com

MICHAEL M. WEINKOWITZ
LEVIN SEDRAN & BERMAN, LLP
510 WALNUT STREET
SUITE 500
PHILADELPHIA, PA 19106
Telephone: 215-592-1500
mweinkowitz@lfsbalw.com

Plaintiffs' Steering Committee Leadership
RON AUSTIN
RON AUSTIN LAW
400 MANHATTAN BLVD.
HARVEY, LA 70058
Telephone: 504-227-8100
raustin@ronaustinlaw.com

PAIGE BOLDT
WALSH LAW
4 Dominion Drive, Bldg. 3, Suite 100
San Antonio, TX 78257
Telephone: 210-448-0500
PBoldt@alexwalshlaw.com

THOMAS P. CARTMELL
WAGSTAFF & CARTMELL LLP
4740 Grand Avenue, Suite 300
Kansas City, MO 64112
Telephone: 816-701-1100
tcartmell@wccllp.com

SARAH EMERY
HENDY JOHNSON VAUGHN EMERY PSC
600 WEST MAIN STREET, SUITE 100
LOUISVILLE, KT 40202
Telephone: 859-600-6725
semery@justicestartshere.com

CARRIE GOLDBERG
C.A. GOLDBERG, PLLC
16 Court St.
Brooklyn, NY 11241
Telephone: 646-666-8908
carrie@cagoldberglaw.com

1 RONALD E. JOHNSON, JR.
2 **HENDY JOHNSON VAUGHN EMERY PSC**
3 600 WEST MAIN STREET, SUITE 100
4 LOUISVILLE, KT 40202
5 Telephone: 859-578-4444
6 rjohnson@justicestartshere.com
7

8 SIN-TING MARY LIU
9 **AYLSTOCK WITKIN KREIS &**
10 **OVERHOLTZ, PLLC**
11 17 EAST MAIN STREET, SUITE 200
PENSACOLA, FL 32502
Telephone: 510-698-9566
mliu@awkolaw.com

12 JAMES MARSH
13 **MARSH LAW FIRM PLLC**
14 31 HUDSON YARDS, 11TH FLOOR
NEW YORK, NY 10001-2170
Telephone: 212-372-3030
jamesmarsh@marshlaw.com

15 JOSEPH E. MELTER
16 **KESSLER TOPAZ MELTZER & CHECK LLP**
17 280 KING OF PRUSSIA ROAD
RADNOR, PA 19087
Telephone: 610-667-7706
jmeltzer@ktmc.com

18 HILLARY NAPPI
19 **HACH & ROSE LLP**
20 112 Madison Avenue, 10th Floor
New York, New York 10016
Telephone: 212-213-8311
hnappi@hrsclaw.com

21 EMMIE PAULOS
22 **LEVIN PAPANTONIO RAFFERTY**
23 316 SOUTH BAYLEN STREET, SUITE 600
PENSACOLA, FL 32502
Telephone: 850-435-7107
epaulos@levinlaw.com

24 RUTH THI RIZKALLA
25 **THE CARLSON LAW FIRM, PC**
1500 ROSECRANS AVE., STE. 500
MANHATTAN BEACH, CA 90266
Telephone: 415-308-1915
rrizkalla@carlsonattorneys.com

1 ROLAND TELLIS
2 DAVID FERNANDES
3 **BARON & BUDD, P.C.**
4 15910 Ventura Boulevard, Suite 1600
Encino, CA 91436
Telephone: 818-839-2333
rtellis@baronbudd.com
dfernandes@baronbudd.com

5 MELISSA YEATES
6 **KESSLER TOPAZ MELTZER & CHECK LLP**
7 280 KING OF PRUSSIA ROAD
RADNOR, PA 19087
Telephone: 610-667-7706
myeates@ktmc.com

8
9 DIANDRA "FU" DEBROSSE ZIMMERMANN
10 **DICELLO LEVITT**
11 505 20th St North
Suite 1500
Birmingham, Alabama 35203
Telephone: 205-855-5700
fu@dicellosevitt.com

12 Plaintiffs' Steering Committee Membership

13 *Attorneys for Individual Plaintiffs*

14
15 **PHILIP J. WEISER**
16 Attorney General, State of Colorado

17 /s/ Bianca E. Miyata
18 Bianca E. Miyata, Admitted *pro hac vice*
Senior Assistant Attorney General
Lauren M. Dickey, Admitted *pro hac vice*
First Assistant Attorney General
Megan Paris Rundlet, Admitted *pro hac vice*
Senior Assistant Solicitor General
Elizabeth Orem, Admitted *pro hac vice*
Assistant Attorney General
Colorado Department of Law
Ralph L. Carr Judicial Center
Consumer Protection Section
1300 Broadway, 7th Floor
Denver, CO 80203
Phone: (720) 508-6651
bianca.miyata@coag.gov

25 *Attorneys for Plaintiff State of Colorado, ex rel.
Philip J. Weiser, Attorney General*

ROB BONTA
Attorney General, State of California

/s/ Megan O'Neill
Nicklas A. Akers
Senior Assistant Attorney General
Bernard Eskandari
Emily Kalanithi
Supervising Deputy Attorneys General
Nayha Arora
Megan O'Neill
Joshua Olszewski-Jubelirer
Marissa Roy
Brendan Ruddy
Deputy Attorneys General
California Department of Justice
Office of the Attorney General
455 Golden Gate Ave., Suite 11000
San Francisco, CA 94102-7004
Phone: (415) 510-4400
Megan.O'Neill@doj.ca.gov

Attorneys for Plaintiff the People of the State of California

RUSSELL COLEMAN
Attorney General, Commonwealth of Kentucky

/s/ J. Christian Lewis
J. Christian Lewis, Admitted *pro hac vice*
Philip Heleringer, Admitted *pro hac vice*
Zachary Richards, Admitted *pro hac vice*
Daniel I. Keiser, Admitted *pro hac vice*
Matthew Cocanougher, Admitted *pro hac vice*
Assistant Attorneys General
1024 Capital Center Drive, Suite 200
Frankfort, KY 40601
christian.lewis@ky.gov
philip.heleringer@ky.gov
zach.richards@ky.gov
daniel.keiser@ky.gov
matthew.cocanougher@ky.gov
Phone: (502) 696-5300

Attorneys for Plaintiff the Commonwealth of Kentucky

1
2 **MATTHEW J. PLATKIN**
3 Attorney General, State of New Jersey

4
5 /s/ Kashif T. Chand
6 Kashif T. Chand, Admitted *pro hac vice*
7 Section Chief, Deputy Attorney General
8 Thomas Huynh, Admitted *pro hac vice*
9 Assistant Section Chief, Deputy Attorney General
10 Verna J. Pradaxay, Admitted *pro hac vice*
11 Mandy K. Wang, Admitted *pro hac vice*
12 Deputy Attorneys General
13 New Jersey Office of the Attorney General,
14 Division of Law
15 124 Halsey Street, 5th Floor
16 Newark, NJ 07101
17 Tel: (973) 648-2052
18 Kashif.Chand@law.njoag.gov
19 Thomas.Huynh@law.njoag.gov
20 Verna.Pradaxay@law.njoag.gov
21 Mandy.Wang@law.njoag.gov

22
23 *Attorneys for Plaintiff New Jersey*
24 *Division of Consumer Affairs*

25
26 COVINGTON & BURLING LLP

27
28 By: /s/ Ashley M. Simonsen
1 Ashley M. Simonsen
2 1999 Avenue of the Stars
3 Los Angeles, CA 90067
4 Telephone: (424) 332-4800
5 Facsimile: + 1 (424) 332-4749
6 Email: asimonsen@cov.com

7
8 COVINGTON & BURLING LLP
9 Phyllis A. Jones, Admitted *pro hac vice*
10 Paul W. Schmidt, Admitted *pro hac vice*
11 One City Center
12 850 Tenth Street, NW
13 Washington, DC 20001-4956
14 Telephone: + 1 (202) 662-6000
15 Facsimile: + 1 (202) 662-6291
16 Email: pajones@cov.com

17
18 *Attorney for Defendants Meta Platforms, Inc.*
19 *f/k/a Facebook, Inc.; Facebook Holdings,*
20 *LLC; Facebook Operations, LLC; Facebook*
21 *Payments, Inc.; Facebook Technologies, LLC;*
22 *Instagram, LLC; Siculus, Inc.; and Mark Elliot*
23 *Zuckerberg*

1 FAEGRE DRINKER LLP
2

3 By: /s/ Andrea Roberts Pierson
4

5 Andrea Roberts Pierson, Admitted *pro hac vice*
6 300 N. Meridian Street, Suite 2500
7 Indianapolis, IN 46204
8 Telephone: + 1 (317) 237-0300
9 Facsimile: + 1 (317) 237-1000
10 Email: andrea.pierson@faegredrinker.com

11 FAEGRE DRINKER LLP
12

13 Amy R. Fiterman, Admitted *pro hac vice*
14 2200 Wells Fargo Center
15 90 South Seventh Street
16 Minneapolis, MN 55402
17 Telephone: +1 (612) 766-7768
18 Facsimile: +1 (612) 766-1600
19 Email: amy.fiterman@faegredrinker.com

20 KING & SPALDING LLP
21

22 Geoffrey Drake, Admitted *pro hac vice*
23 1180 Peachtree Street, NE, Suite 1600
24 Atlanta, GA 30309
25 Tel.: 404-572-4600
26 Email: gdrake@kslaw.com
27 Email: dmattern@kslaw.com

28 KING & SPALDING LLP
15

16 David Mattern, Admitted *pro hac vice*
17 1700 Pennsylvania Avenue, NW, Suite 900
18 Washington, D.C. 20006
19 Telephone: +1 (202) 626-2946
20 Email: dmattern@kslaw.com

21 *Attorneys for Defendants TikTok Inc. and ByteDance*
22 *Inc.*

23 MUNGER, TOLLES & OLSEN LLP
24

25 By: /s/ Jonathan H. Blavin
26

27 Jonathan H. Blavin
28 560 Mission Street, 27th Floor
San Francisco, CA 94105-3089
Telephone: (415) 512-4000
Email: jonathan.blavin@mto.com

1 MUNGER, TOLLES & OLSON LLP
2 Rose L. Ehler
3 Victoria A. Degtyareva
4 Laura M. Lopez
5 Ariel T. Teshuva
6 350 South Grand Avenue, 50th Floor
7 Los Angeles, CA 90071-3426
8 Telephone: (213) 683-9100
9 Email: rose.ehler@mto.com
Email: victoria.degtyareva@mto.com
Email: Ariel.Teshuva@mto.com

7 MUNGER, TOLLES & OLSON LLP
8 Lauren A. Bell (*pro hac vice forthcoming*)
9 601 Massachusetts Ave., NW St., Suite 500 E
Washington, D.C. 20001-5369
Telephone: (202) 220-1100
Email: lauren.bell@mto.com

10 *Attorneys for Defendant Snap Inc.*

11 WILSON SONSINI GOODRICH & ROSATI
12 Professional Corporation

13 By: /s/ Brian M. Willen
14 Brian M. Willen, Admitted *pro hac vice*
15 1301 Avenue of the Americas, 40th Floor
New York, New York 10019
Telephone: (212) 999-5800
Email: bwillen@wsgr.com

16 WILSON SONSINI GOODRICH & ROSATI
17 Lauren Gallo White
18 Samantha A. Machock
One Market Plaza, Spear Tower, Suite 3300
San Francisco, CA 94105
Telephone: (415) 947-2000
Email: lwhite@wsgr.com
Email: smachock@wsgr.com

21 WILSON SONSINI GOODRICH & ROSATI
22 Christopher Chiou
23 Matthew K. Donohue
953 East Third Street, Suite 100
Los Angeles, CA 90013
Telephone: (323) 210-2900
Email: cchiou@wsgr.com
Email: mdonohue@wsgr.com

26 *Attorneys for Defendants YouTube, LLC and Google
LLC*

1 WILLIAMS & CONNOLLY LLP
2

3 By: /s/ Joseph G. Petrosinelli
4 Joseph G. Petrosinelli Admitted *pro hac vice*
5 jpetrosinelli@wc.com
6 Ashley W. Hardin, Admitted *pro hac vice*
7 ahardin@wc.com
8 680 Maine Avenue, SW
9 Washington, DC 20024
10 Telephone.: 202-434-5000

11 *Attorneys for Defendants YouTube, LLC and Google*
12 *LLC*

13 MORGAN, LEWIS & BOCKIUS LLP
14

15 By: /s/ Yarden R. Zwang-Weissman
16 Yarden R. Zwang-Weissman
17 300 South Grand Avenue, 22nd Floor
18 Los Angeles, CA 90071-3132
19 Tel.: 213.612.7238
20 Email: yardena.zwang-weissman@morganlewis.com

21 MORGAN, LEWIS & BOCKIUS LLP
22 Brian Ercole, Admitted *pro hac vice*
23 600 Brickell Avenue, Suite 1600
24 Miami, FL 33131-3075
25 Tel.: 305.415.3416
26 Email: brian.ercole@morganlewis.com

27 MORGAN, LEWIS & BOCKIUS LLP
28 Stephanie Schuster, Admitted *pro hac vice*
1111 Pennsylvania Avenue NW
NW Washington, DC 20004-2541
Tel.: 202.373.6595
Email: stephanie.schuster@morganlewis.com

19 *Attorneys for Defendants YouTube, LLC and Google*
20 *LLC*

21 **ATTESTATION**
22

23 I, Andrea R. Pierson, hereby attest, pursuant to N.D. Cal. Civil L.R. 5-1, that the concurrence to
24 the filing of this document has been obtained from each signatory hereto.

25 Dated: October 24, 2024

26 /s/ Andrea R. Pierson
27 Andrea R. Pierson
28